

RHEA WILLIS, et al.,)
)
Plaintiffs,)
)
v.) No. 4:07CV1131 CEJ
)
VELDA CITY POLICE)
DEPARTMENT, et al.,)
)
Defendants.)

This matter is before the Court on plaintiff's motion of for appointment of counsel and motion for appointment of next friend. Both motions will be denied without prejudice.

“A pro se litigant has no statutory or constitutional right to have counsel appointed in a civil case.” Stevens v. Redwing, 146 F.3d 538, 546 (8th Cir. 1998). When determining whether to appoint counsel for an indigent litigant, the Court considers relevant factors, such as the complexity of the case, the ability of the pro se litigant to investigate the facts, the existence of conflicting testimony, and the ability of the pro se litigant to present his or her claim. Id.

After reviewing these factors, the Court finds that the appointment of counsel is not warranted at this time. This case does not appear to be so factually or legally complex that plaintiff is unable to present her claims or investigate the facts of this case without the assistance of counsel. Consequently, the motion shall be denied without prejudice.

Motion for Appointment of Next Friend

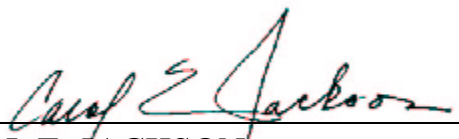
Plaintiff's motion for next friend does not provide any reason why plaintiff should be able to appear as the representative for C.W., C.W., or E.W. under Fed. R. Civ. P. 17(c). As a result, the motion shall be denied without prejudice.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel [#4] is **DENIED** without prejudice.

IT IS FURTHER ORDERED that plaintiff's motion for appointment of next friend [#5] is **DENIED** without prejudice.

Dated this 10th day of October, 2007.



CAROL E. JACKSON
UNITED STATES DISTRICT JUDGE